

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: FISHMAN10A

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| In re Application of: |) | Conf. No.: 9316 |
| |) | |
| Pnina Fishman |) | Art Unit: 1643 |
| |) | |
| Appln. No.: 10/689,550 |) | Examiner: H. Sang |
| |) | |
| Filed: October 21, 2003 |) | Washington, D.C. |
| |) | |
| For: A3AR AS A MARKER FOR A |) | May 22, 2006 |
| DISEASED STATE |) | |

RESPONSE

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop Amendments
401 Dulany Street
Alexandria, VA 22314

Sir:

Claims 1-19 presently appear in this case. No claims have yet been examined on the merits. The official action of April 20, 2006, in the nature of a restriction requirement, has now been carefully studied.

The examiner has required restriction among the following four inventions:

Group I, presently comprising claims 3-5, 8-10, 12, 13 and 18, drawn in part to a method for detecting a proliferative related disease state by detecting the level of A3AR protein or A3AR protein fragment in the sampled cells;

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Group II presently comprising claims 3-5, 8-10, 12, 13 and 18, drawn in part to a method for detecting a proliferative related disease state by detecting the level of A3AR mRNA in the sampled cells;

Group III, presently comprising claims 6, 11-13 and 19, drawn in part to a method for detecting an autoimmune disease state by detecting the level of A3AR protein, or A3AR protein fragment in the sampled cells; and

Group IV, presently comprising claims 6, 11, 14, 15 and 19, drawn in part to a method for detecting an autoimmune disease state by detecting the level of A3AR mRNA in the sampled cells.

Applicant hereby elects without traverse the claims of Group I, i.e., claims 3-5, 8-10, 12, 13 and 18, drawn in part to a method for detecting a proliferative related disease state by detecting the level of A3AR protein or A3AR protein fragment in the sampled cells.

As the examiner pointed out, claims 1, 2, 7, 16 and 17 are linking claims that link Groups I-IV together. It is, therefore, understood that upon allowance of a linking claim(s), the restriction requirement as to the linked inventions will be withdrawn, and any claims depending from or otherwise including all of the limitations of the allowable linking claims will be entitled to examination.

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Prompt consideration of the merits and allowance of
the elected claims are earnestly solicited.

Respectfully submitted,

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